IN THE UNITIED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA CHARLESTON DIVISION

| John Trenton Pendarvis, |) C/A No. 2:22-cv-03142-BHH-MHC |
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| Plaintiff, |)) |
| Versus | |
| Alan M. Wilson, Mark A. Keel, Hugh E. Weathers, L.C. Knight, W. Jeffrey Young, Robert D. Cook, Emory Smith, Jr., Joanne Lee, David S. Jones, T. Stephen Lynch, Harley L. Kirkland, Wesley Vorberger, Robert Kittle, Adam L. Whitsett, Frank O'Neal, Jason Wells, Glenn Wood, John Neale, Rhett Holden, Alden G. Terry, Derek M. Underwood, J. Clint Leach, Aaron Wood, John Stokes, Vanessa Elsalah, Brittany Jeffcoat, Eva Moore, Ray Dixson, Frank Thompson, Robert Krutak, Jonathan Calore, Charlie Scrubbs, and Wayne Eaddy, | DORCHESTER COUNTY DEFENDANTS' MOTION FOR EXTENSION OF TIME TO FILE REPLY |
| Defendants. |) |

COME NOW DEFENDANTS L.C. Knight, Ray Dixson, Frank Thompson, and Robert Krutek (hereinafter collectively referred to as "these Defendants" or "the Dorchester Defendants), by and through their undersigned attorneys, and move this Court for an Order pursuant to Local Civil Rule 6.01 extending the time for these Defendants to file a Reply to Plaintiff's Response in Opposition to the Dorchester Defendants' Motion to Dismiss / Motion for More Definite Statement in this matter. [ECF No. 40]. Plaintiff's Response in Opposition was filed on November 29, 2022, with deadline for the Dorchester Defendants to file a Reply, if any, on or before December 6, 2022. Id.

The Dorchester Defendants respectfully request an extension of seven (7) days of this deadline, or until December 13, 2022 to file their brief Reply to Plaintiff's Memorandum in Opposition. This deadline has not been previously extended. Extension of this deadline will have

no effect on any other deadlines currently established in this case and will not prejudice Plaintiff in any respect.

The basis for the Dorchester Defendants' motion is that the undersigned primary attorneys – Mr. Buyck and Mr. Smythe – are currently in trial this week in another civil matter in Beaufort County. The week prior, during which time Plaintiff's Response in Opposition was filed, undersigned defense counsel were preparing for trial, meeting with witnesses, attending depositions, and appearing for multiple virtual and telephonic conferences with the trial judge and court personnel. This trial is expected to last the rest of this week. It is anticipated that extending these Defendants' current Reply deadline by an additional seven (7) days would allow for adequate time to review Plaintiff's lengthy memorandum in opposition and prepare and file Defendants' Reply.

Given the above, the undersigned counsel for the Dorchester Defendants respectfully requests extension of the deadline to file a Reply, if any, to Plaintiffs' Response in Opposition to December 13, 2022. Prior to filing this request for additional time, the undersigned telephoned Plaintiff's counsel to discuss the same and request consent, but as of this filing, have not heard back.

[signature page and Certificate of Service follow]

Respectfully submitted,

BUYCK LAW FIRM, LLC

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s/ Jeffrey H. Lappin

Hugh W. Buyck (Fed. ID # 6099) George B. Smythe, Jr. (Fed ID #13224) Jeffrey H. Lappin (Fed ID #13568)

Attorneys for Dorchester Defendants Knight, Dixson, Thompson and Krutak

<u>December 6</u>, 2022 Mt. Pleasant, South Carolina

CERTIFICATE OF SERVICE

| I certify that on this date a copy of the foregoing was served |
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| on each party or counsel of record by \boxtimes via electronic filing, |
| mailing, e-mailing, facsimile, or hand delivery in the |
| manner prescribed by the applicable Rule of Civil Procedure. |
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| This 6 th day of <u>December</u> , 2022. |
| |
| s/ Jeffrey H. Lappin |